

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:73  
ANSWERED ON:22.02.2011  
DISPATCH OF DOSSIERS TO PAKISTAN  
Tewari Shri Manish

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) the details of the number of dossiers sent by the Government to Pakistan containing evidence about the complicity of Pak Nationals in the terror attack of Mumbai on 26.11.2008;
- (b) the details of the salient points of evidence that forms the basis of the dossiers;
- (c) the details of the request the Government has made to Pakistan in pursuance of which the dossiers were dispatched;
- (d) the details of the response of the Government of Pakistan to the said dossiers;
- (e) whether there is a likelihood that Pakistan is prepared to concede to India's request to extradite the 26/11 accused;
- (f) if so, the reaction of the Government thereto;
- (g) whether as per relevant laws two concurrent trials can be held for the same offence in India and Pakistan pertaining to 26/11 attack; and
- (h) if so, the reaction of the Government thereto?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS(SHRI GURUDAS KAMAT)

(a) to (d): 12 dossiers have been sent by Government of Pakistan in the matter of Mumbai Terror Attack case. These dossiers, inter-alia, contain copy of FIR lodged by FIA, Islamabad, summary of their investigations, details of arrests made, a list of proclaimed offenders and a copy of the charge sheet filed by Government of Pakistan; all in connection with Mumbai Terror Attack case. A total of 12 dossiers have been handed over to Government of Pakistan by Government of India, out of which 6 dossiers contain evidence about the complicity of Pak nationals and use of Pak soil in Mumbai Terror Attack case. These dossiers also contain list and details of Pak terrorists wanted in Mumbai terrorist attack, Indian fugitives who have taken shelter in Pakistan and dossier on Ilyas Kashmiri of HuJI. The remaining 6 dossiers are in response of specific requests to Government of Pakistan in connection with Mumbai terror attack.

(e) & (f): As judicial proceedings are in process in India and in Pakistan, it would be difficult to conclude anything with certainty at this stage in this regard.

(g) & (h): Two concurrent trials for the same offence cannot take place in India. However, Pakistan being a sovereign country having its own penal and procedural laws can initiate prosecution against its own citizens who are accused in a crime which has taken place in another country. This extra-territorial jurisdiction is also envisaged in Indian Penal Code and Criminal Procedure Code.